

REMARKS

This application pertains to a novel process for producing elastane fiber from spinning solutions comprising recycled waste material obtained from elastane fiber.

Claims 1-33 are pending.

The specification stands objected to because of the absence of headings. Headings have now been provided; and the objection should be withdrawn.

Claims 4, 6, 20-22, 26, 28, 31 and 33 stand rejected under 35 USC 112, second paragraph for various reasons more specifically indicated in the Office Action.

Each of the issues raised by the Examiner in the rejection has been considered, and appropriate amendments made to address them. It is believed that the amendments overcome the rejections, and the rejection should now be withdrawn.

Claim 14 stands rejected under 35 USC 102(b) as anticipated by Reinehr et al DE 195 04 316 C1.

The Examiner points to Tables 1-4 of the reference, which he views as showing the same fibers as those recited in claim 14. The Examiner, however, overlooks that the fibers of claim 14 incorporate waste material, as recited in claim 1. By contrast, the Examiner has not pointed to anything in US '105 which would teach

or suggest elastane fibers which comprise waste material.

As indicated at page 3, lines 4-8, a process by which such fibers could be produced has heretofore not been known.

Accordingly, Applicants' fibers are different than anything that has been made available by the prior art, and the rejection of claim 14 under 35 USC 102(b) as anticipated by Reinehr DE 195 04 316 should now be withdrawn.

Applicants note with appreciation that claims 1-3, 5, 7-13, 15-19, 23-25, 27, 29, 30 and 32 are allowed. In view of the present amendments and remarks, it is believed that all of the claims are in condition for allowance however.

In view of the present amendments and remarks it is believed that claims 1-33 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this amendment is required, applicant requests that this be considered a petition therefore. Please charge the required petition fee to Deposit Account No. 14-1263.

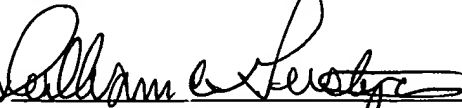
ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit

Account No. 14-1263.


Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By 
William C. Gerstenzang
Reg. No. 27,552

220 East 42nd Street - 30th Floor
New York, New York 10017
(212) 808-0700

I hereby certify that this correspondence is being mailed with
sufficient postage via Express Mail, label no EL 973656551
US to the United States Patent and Trademark Office,
addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on December 19, 2003

By 
Julie Harting
Date December 19, 2003